

AB

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CRADLE OF LIBERTY COUNCIL, INC.,
BOY SCOUTS OF AMERICA,

Plaintiff,

v.

THE CITY OF PHILADELPHIA,

Defendant.

CIVIL ACTION

NO. 08-2429

FILED

JUL 14 2010

MICHAEL E. KUNZ, Clerk
By Dep. Clerk

JUDGMENT ORDER

AND NOW, this 13th day of July, 2010, in accordance with the jury verdict rendered on
June 23, 2010:

1. **THE COURT ORDERS** that judgment is entered in favor of Plaintiff and
against Defendant on Plaintiff's claim under the First Amendment to the United States
Constitution (Count I), with regard to Plaintiff's unconstitutional conditions claim only. As to
Plaintiff's viewpoint discrimination claim, judgment is entered in favor of Defendant and against
Plaintiff.

2. **THE COURT ORDERS** that judgment is entered in favor of Defendant and
against Plaintiff on Plaintiff's claim under the Fourteenth Amendment to the United States
Constitution (Count II).

3. **THE COURT ORDERS** that judgment is entered in favor of Defendant and
against Plaintiff on Plaintiff's claim under Article I, §§ 1 and 26 of the Pennsylvania Constitution
(Count IV).

4. **THE COURT ORDERS** that judgment is entered in favor of Plaintiff and against Defendant on Defendant's counterclaims for ejectment and holdover rent.

5. **THE COURT ORDERS** that the preliminary injunction entered in this matter on November 18, 2009 is hereby made permanent, but the second paragraph is amended as follows:

- (1) the second sentence is deleted in its entirety;
- (2) the third sentence is deleted in its entirety;
- (3) the following sentence is added after the first sentence:

The verdict entered by this judgment order does not prevent Defendant from commencing proceedings to evict Plaintiff, provided it does so in a manner which does not violate the constitutional rights of Plaintiff.

6. The matter of costs and attorneys' fees should be presented to the court by a petition requesting the same.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'RLB', is written over a horizontal line.

RONALD L. BUCKWALTER, S.J.